

Message Text

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ACTION L-02

INFO OCT-01 NEA-06 ISO-00 CIAE-00 COME-00 DODE-00 DOTE-00

EB-04 FMC-01 INR-05 NSAE-00 RSC-01 CG-00 COA-01

DLOS-03 SWF-01 SCS-02 JUSE-00 SCA-01 FEAE-00 INT-05

SCI-02 TRSE-00 PA-01 USIA-06 PRS-01 SP-02 DRC-01 /046 W
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R 151030Z OCT 74

FM AMCONSUL BOMBAY

TO SECSTATE WASHDC 4824

INFO AMEMBASSY NEW DELHI

AMCONSUL MADRAS

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E.O. 11652:N/A

TAGS: OGEN, IN PLOS

SUBJ: TRANS HURON

REF: A. MADRAS 1298 (NOTAL); B. BOMBAY 2461

1. SEATRAN COMPANY REP DAVID L. ANDERSON AND COMPANY ATTORNEY J. LESTER PARSONS INFORMED US OCTOBER 17 THEY AND TWO SALVAGE MASTERS MET WITH DIRECTOR GENERAL OF SHIPPING BHAVE, GOI NAUTICAL ADVISOR P.S. VANCHISWAR AND OTHERS OF DIRECTORATE OF SHIPPING THAT DAY TO DISCUSS DISPOSITION OF TRANS HURON AND ITS CARGO.

2. THE PRINCIPLE POINT DISCUSSED IN THIS MEETING WAS THE IMMEDIATE NECESSITY UNLOAD OIL FROM THE TRANS HURON TO PREVENT POSSIBILITY FURTHER POLLUTION. DESPITE FACT SHIP IS SOLIDLY AGROUND AT THE PRESENT, BHAVE AND OTHERS EVIDENCED SOME CONCERN OVER THIS POSSIBILITY AND HOPE REMOVAL OF OIL CAN BE STARTED WITHOUT DELAY. THE TWO SALVAGERS OF SMIT TK INTERNATIONAL OF

ROTTERDAM ARE RETURNING TO ROTTERDAM OCTOBER 18 TO BEGIN WORKING
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OUT DETAILS OF THE UNLOADING, BUT IN THE MEANTIME. IT APPEARS

PROBABLE THAT THE INDIAN NAVY MAY BEGIN UNLOADING WITH UNDER-
STANDING THEY WOULD GIVE WAY TO SMIT TAK WHEN LATTER IS PREPARED
TO TAKE OVER. PARSON/ANDERSON ARE HOPEFUL SMIT TAK WILL TAKE
NECESSARY DECISIONS TO START UNLOADING WITHIN A REASONABLE TIME.
BUT FEAR DIRECTORATE OF SHIPPING WILL BECOME IMPATIENT AND
DECIDE TO MOVE AHEAD ON UNLOADING. IN FACT, BHAVE
AND OTHERS GAVE BOTH MEN DEFINITE IMPRESSION DIRECTORATE IS
NOT WILLING TO WAIT VERY LONG BEFORE INDIAN NAVY MOVES IN AND
BEGINS UNLOADING. DIRECTORATE OF SHIPPING INFORMED THEM IN
WRITING OIL WOULD BE STORED PENDING FINAL OUTCOME ALL
QUESTIONS INVOLVED IN TRANS HURON CASE.

3. PARSONS/ANDERSON INDICATED THEIR CHIEF CONCERN AT THIS
POINT IS THE DISPOSITION OF THE CARGO, SINCE IT APPEARS SHIP
WILL BEDECLARED A CONSTRUCTIVE LOSS AND UNDERWRITERS/INSURERS
WILL THEN BE RESPONSIBLE FOR REMOVAL OF THE HULK. THE QUESTION OF
REMOVAL OF THE WRECK AROSE IN THE MEETING OCTOBER 17 WITH THE
INDIAN SIDE SUGGESTING THAT THIS BE HELD IN ABEYANCE UNTIL THE
REMOVAL OF THE CARGO IS SETTLED. THIS WAS ACCEPTABLE TO PARSONS/
ANDESON, SINCE THEY SAY, THE WAY THE WRECK IS HANDLED MUST
AWAIT THE UNDERWRITERS REPORT NOW UNDER PREPARATION IN LONDON.

4. ANDERSON STILL HAS HEARD NOTHING FROM THE COMPANY CONCERNING
THE DISPOSITION OF THE 55,000 BARRELS OF OIL WHICH HAS SEAWATER
MIXED WITH IT. BASED ON HIS OWN EXPERIENCE, HE SAYS THE U.S. NAVY
WILL NOT ACCEPT OIL WITH SEA WATER IN IT, AND HE BELEIVES
THE OIL WILL HAVE TO BE SENT TO A REFINERY FOR TREATMENT. HE
IS AWAITING WORD FROM HIS COMPANY WHETHER THE 55,000 BARRELS
WILL BE ABANDONED, IN WHICH CASE IT IS ALMOST CERTAIN THE INDIAN
NAVY WILL TAKE IT.

5. ANDERSON REPEATED WHAT HE HAD EARLIER TOLD CONGEN MADRAS
ABOUT THE ABSENCE OF POLLUTION IN THE AREA. WITH THE SHIP FIRMLY
AGROUND HE DOES NOT THINK FURTHER POLLUTION LIKELY, BUT BOTH HE
AND PARSONS SAID THEY COULD NOT TAKE ISSUE WITH THE DIRECTORATE
OF SHIPPING'S DESIRE TO AVOID A POSSIBILITY OF POLLUTION.
BOTH MEN AREANXIOUS TO AVOID ANY POLLUTION PROBLEMS, AND BOTH
INDICATED THEIR DETERMINATION TO AOID PUTTING THE COMPANY IN
A POSITION WHERE IT COULD BE BLAMED LATER FOR POLLUTION PROBLEMS
THAT MIGHT ARISE OUT OF THE WRECK IF THE OIL IS NOT UNLOADED.
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6. THE OWNERSHIP OF THE TRANS HURON WITHIN THE TERMS OF SECTION
455 (1) OF THE INDIAN MERCHANT SHIPPING ACT OF 1958 (PARA 4,
BOMBAY 2436) DID NOT ARISE,THOUGH PARSONS STATED THAT HE IN-
FORMED BHAVE
AND OTHERS THAT THE VESSEL WAS UNITED STATES GOVERNMENT
PROPERTY. THE SITUATION APPEARS TO BE BOILING DOWN TO THE
DISPOSITION OF THE 35,000 BARRELS OF GOOD OIL, AND QUITE

POSSIBLY ALSO THE DISPOSITION OF THE 55,000 BARRELS OF MIXED OIL. WE HAVE INFORMED THE DIRECTORATE HERE THAT THE USG PROPERTY. I WILL DRAW ON MATERIAL ALREADY AVAILABLE IN PREVIOUS TELEGRAMS BUT WOULD APPRECIATE ANY ADDITIONAL GUIDANCE THE DEPARTMENT THINKS WOULD BE HELPFUL BY THE OPENING OF BUSINESS MONDAY, OCTOBER 21.

7. PARSONS INFORMED US MORNING OCTOBER 18 THAT THE COMPANY HAS NOW ADVISED HIM TO LEAVE MATTERS IN THE HANDS OF P & I SERVICES OF INDIA IN BOMBAY, AND HE BELIEVES THAT BOTH HE AND ANDERSON WILL DEPART WITHIN NEXT DAY OR TWO. ADDITIONALLY, HIS COMPANY HAS REFERRED HIM TO LOCAL ATTORNEYS, WHOM HE IS SEEING SHORTLY. PARSONS EXPECTS ANY QUESTIONS RELATING TO (A) THE CARGO, (B) THE REMOVAL OF THE WRECK, OR (C) OTHER LIABILITIES ARISING FROM THE INCIDENT TO BE HANDLED BY P AND I AND/OR THE ATTORNEYS. AS STATES PARA 6, WE WILL KEEP IN CLOSE TOUCH WITH THE DIRECTORATE OF SHIPPING ON THE CARGO. BANE

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